

REMARKS

Overview

In the prior Office Action, the Examiner objected to claim 94 as being dependent upon a rejected base claim, but indicated that the claim would be allowable if rewritten in independent form. The Examiner also responded in the prior Office Action as follows: rejected claims 79-93, 95-114, and 131 under 35 U.S.C. § 102(e) as being anticipated by Bushey et al. (U.S. Patent No. 6,405,159); and rejected claims 66-78, 115-130, and 132-134 under 35 U.S.C. § 103(a) as being unpatentable over Bushey in view of Bunte et al. (U.S. Patent No. 5,873,070).

Applicants hereby amend claims 66, 79, 108, 111, 114, 115, 119, 131 and 132 in order to clarify the subject matter of their invention, and have rewritten objected-to claim 94 in independent form. Applicants further hereby cancel claims 92, 107, 116, 118 and 134, and add new claims 135-138. Thus, claims 66-91, 93-106, 108-115, 117, 119-133 and 135-138 are now pending.

Also, subsequent to the mailing of the prior Office Action, Applicants filed a Supplemental Information Disclosure Statement (IDS) on March 30, 2004, and Applicants respectfully request that the Examiner acknowledge consideration of the references of that IDS by initialing each reference on a copy of the IDS and returning the copy to the Applicants' representative.

Analysis

The Examiner has rejected each of the previously pending claims other than 94 under 35 U.S.C. §§ 102 or 103 as being unpatentable over Bushey, either alone or in combination with Bunte. However, each of the pending claims as rejected included features and provided functionality not disclosed by Bushey or Bunte. Thus, each of the pending claims as rejected is allowable.

Moreover, Applicants have amended each of the previously pending claims other than 94 in order to clarify the subject matter of the invention, and these pending claims as amended continue to be patentable over Bushey and Bunte. For example, each of the pending claims as amended recites that current context or state information is

gathered from multiple members of a group in order to generate information about a current shared context or state of the group, which can then be used in various ways to provide benefits to the members of the group and/or to others. Moreover, at least some of the claims as amended further recite that changes in the group context or state are captured by repeatedly generating such current group context or state information based on current information for the group members, and at least some of the claims as amended further recite that the group of users to be monitored is a predefined group.

In contrast, neither Bushey nor Bunte teach or suggest any of these aspects of the claims. For example, Bunte appears to make no mention of groups of users, and thus cannot teach or suggest any of these aspects. With respect to gathering current context or state information from multiple members of a group in order to generate information about a current context or state of the group, Bushey does appear to discuss gathering information about users, but merely does so in order to define types or clusters of users rather than to generate any information about a current context or state of a group of such users. Since any such defined user type information of Bushey is static information that does not reflect a current state or context of a group, Bushey does not teach or suggest such generation of current group state or context information.

Moreover, since neither Bushey nor Bunte discuss modeling information about even a single instance of a current shared state or context of a group, they clearly do not discuss the repeated generating of such current group context or state information to reflect changes in the group's context or state. Furthermore, since the information gathered in Bushey is used to as part of a process for defining types of users, it clearly is not gathered for existing predefined groups of users whose group context or state is of interest. Thus, for each of these reasons, pending claims as amended are patentable over the prior art.

For example, claim 66 as amended recites the following:

... repeatedly modeling a changing current state of the predefined group, by
gathering current state information for each of the determined group members
from the identified characterization system for that group member, the gathered current state

information related to the current state aspect represented by the indicated one state attribute;
and

in response to the gathering, generating a current value for the indicated one attribute based on the gathered state information to model the aspect of the current state of the predefined group; . . .

Since neither Bushey nor Bunte describe such repeated modeling of a changing current state of a predefined group of users based on current state information for each of multiple group members, claim 66 is thus patentable over these cited references. Furthermore, since each of the other independent claims 79, 108, 111, 114, 115, 131, 132 and 138 similarly recite one or more of these described aspects, these claims are similarly patentable over Bushey and Bunte. In addition, since the pending dependent claims include the features of those claims from which they depend, they are thus allowable for the same reasons as those claims, as well as based on various additional recited features that are not enumerated here for the sake of brevity.

Conclusion

In light of the above remarks, Applicants respectfully submit that all of the pending claims are allowable. Applicants therefore respectfully request the Examiner to reconsider this application and timely allow all pending claims. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 694-4815.

Respectfully submitted,
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Petition for an Extension of Time

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